

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER TAM and BEVERLY CHIN-TAM,

Plaintiffs,

v.

JUN HAI CHEN

Defendant

Case No. 1:25-cv-10484-DJC

DECLARATION OF COUNSEL REGARDING SERVICE OF PROCESS

Pursuant to 28 U.S.C. § 1746, the undersigned deposes and states as follows:


1. I, Matthew Gens, am counsel for the Plaintiffs in this matter.
2. On March 6, 2025, my firm retained process serving company D&R Legal Process Service, LLC (the “Process Server”) to make service of process of the Summons and Complaint in this matter on Defendant Jun Hai Chen, at his last and usual place of abode, located at 28425 Fox Hollow Dr | Hayward, CA 94542 (the “Address”). *See also* Compl., Ex. C, ECF No. 1-5.
3. Fed.R.Civ.P. 4(e)(1) provides that an individual “may be served in a judicial district of the United States by” “following state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located”
4. This district court is located in Massachusetts, and Massachusetts state law for making personal service “outside the Commonwealth” allows for service “in any appropriate manner prescribed in subdivision (d) of this Rule.” Mass.R.Civ.P. 4(e)(1). In turn, Mass.R.Civ.P. 4(d)(1) provides that an individual may be served “by leaving copies” “of the summons and of the complaint” “at his last and usual place of abode.”

5. A copy of the completed Summons, as served, and accompanied by its return of service, encompassing an Affidavit of Service by Posting, as well as Proof of Service by Mail, both signed on March 11, 2025 by Jason M. Burke, on behalf of the Process Server, is attached as **Exhibit "A."** As reflected in this service documentation, Mr. Burke, on behalf of the Process Server, posted the Summons and Complaint (with all exhibits) directly on the front door of the Defendant's residential Address on March 6, 2025, and then the following day, March 7, 2025, he furthermore mailed the same to Defendant's residential Address as well.

6. Likewise attached as **Exhibit "B"** are certain date-stamped and location-stamped pictures provided by the Process Server, reflecting this service by posting, which was effectuated on March 6, 2025.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 11, 2025.



Matthew A. Gens, Esq. (BBO # 675393)